

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-v-	:	19cr622 (DLC)
	:	
CARLOS ESPINAL,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
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DENISE COTE, District Judge:

The defendant, who is incarcerated, is scheduled to be sentenced on Thursday, July 23, 2020. An Order of June 8, 2020 informed the parties that the July 23 sentencing would occur in court, if that were possible, and inquired whether the defendant would consent to be sentenced via videoconference in the event an in person sentencing were not possible. The June 8 Order also set July 9 as the deadline for the defendant's sentencing submission and July 16 as the deadline for the Government's sentencing submission.

On July 9, defense counsel filed a letter informing the Court that the defendant did not consent to proceed with a videoconference sentencing in the event an in person sentencing were not available. Defense counsel did not file the defendant's sentencing submission.

On July 15, this Court's Chambers emailed defense counsel to request that defense counsel file the defendant's sentencing

submission. Defense counsel responded by email that she “assumed” that the Court would adjourn the July 23 sentencing and would not be able to appear in person on July 23.

Accordingly, it is hereby

ORDERED that the sentencing shall occur as scheduled on Thursday, **July 23, 2020** at **11:00 a.m.**, in person in Courtroom 18B, 500 Pearl Street. Defense counsel may have a colleague appear in court on July 23 for the sentencing, and she also may participate in the sentencing telephonically.

IT IS FURTHER ORDERED that the defendant’s sentencing submission, which was due on July 9, 2020, must be filed no later than Friday, **July 17, 2020**. The Government’s sentencing submission shall be due Monday, **July 20**.


IT IS FURTHER ORDERED that all individuals seeking entry to 500 Pearl Street must complete a questionnaire and have their temperature taken before being allowed entry into the courthouse. **To gain entry to 500 Pearl Street, follow the instructions provided here:**

<https://nysd.uscourts.gov/sites/default/files/2020-07/SDNY%20Screening%20Instructions.pdf>.

IT IS FURTHER ORDERED that all individuals must practice social distancing at all times in the courthouse. Individuals also must wear face masks at all times in the courthouse unless the Court authorizes their removal.

IT IS FURTHER ORDERED that defense counsel must advise the Court by Friday, **July 17, 2020**, if there is an expectation that more than **ten** spectators will attend the sentencing. The parties must advise the Court by the same date if there is an expectation that more than **three** individuals will be seated at counsel's tables.

Dated: New York, New York
July 15, 2020



DENISE COTE
United States District Judge